

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

Howard W. Charpia,)	
)	Civil Action No.: 2:11-cv-3040-RMG
Plaintiff,)	
)	ORDER
v.)	
)	
Dorchester County Clerk of Court,)	
et al,)	
)	
Defendants.)	
_____)	

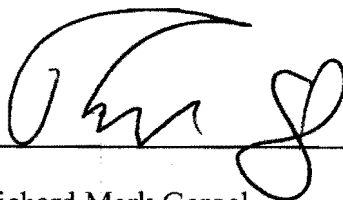
Plaintiff, proceeding *pro se*, alleges Defendants violated his state and federal constitutional rights as well as various state and federal laws. In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02(B)(2) (D.S.C.), this matter was referred to the United States Magistrate Judge for all pretrial proceedings. Defendants filed a motion to dismiss for failure to state a claim on January 16, 2012. (Dkt. No. 34). Plaintiff filed a response. (Dkt. No. 51). The Magistrate Judge filed a Report and Recommendation recommending that this Court grant Defendants' motion to dismiss on June 1, 2012. (Dkt. No. 60). The parties were advised that any objections to the Report and Recommendation must be filed in writing within 14 days of service of the Report and Recommendation or face limited review by the District Court and waiver of the right of appeal. See Dkt. No. 60 at 9; *Thomas v. Arn*, 474 U.S. 140 (1985); *Wright v. Collins*, 766 F.2d 841 (4th Cir. 1985); *United States v. Schronce*, 727 F.2d 91 (4th Cir. 1984).

On June 11, 2012, Plaintiff moved for a sixty day extension of time to file objections to the Report and Recommendation in order to "consult with legal [C]ounsel, to consult with the ACLU and to contact the Attorney General on the case." (Dkt. No. 64). Plaintiff's original deadline for filing objections was June 18, 2012. The Court extended Plaintiff's time to file

objections to the Magistrate Judge's Report and Recommendation until July 3, 2012. (Dkt. No. 65). In his request for an extension, Plaintiff stated that the "Rooker-Feldman Doctrine should not and does not apply to this case, Plaintiff does not ask the Court to sit in review of a state Court decision." (Dkt. No. 64 at 1).

The instructions provided to Plaintiff as part of the Report and Recommendation advised Plaintiff that the parties "may file specific written objections to this Report and Recommendation with the District Judge" and that the "[o]bjections must specifically identify the portions of the Report and Recommendation to which objections are made and the basis for such objections." (Dkt. No. 60 at 9). Notwithstanding these instructions provided as a part of the Report and Recommendation advising Plaintiff of the effect of failing to file timely objections and this Court's grant of an extension to Plaintiff, Plaintiff failed to file any written objections to the Magistrate Judge's Report and Recommendation. The Court has reviewed the record in this matter, the Report and Recommendation and the applicable law and hereby finds that the Report and Recommendation accurately summarizes the applicable factual and legal issues in this motion. Therefore, the Court hereby adopts the Report and Recommendation as the order of this Court. (Dkt. No. 60). For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that Defendants' motion to dismiss be **GRANTED** and the complaint be dismissed with prejudice.

AND IT IS SO ORDERED.


Richard Mark Gergel
United States District Court Judge

July 11, 2012
Charleston, South Carolina